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MORGAN HENDERSON

** Defendants' counsel listed after the caption.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MORGAN HENDERSON,

Plaintiff,

vs.

LINCOLN SQUARE, LLC; JAE CHUNG
YU dba Cafe Galleria; YOON MI YU dba
Cafe Galleria; and DOES - 20, Inclusive,,

Defendants.

No. C12-01938 JCS ADR

STIPULATION FOR DISMISSAL
WITH PREJUDICE AND ~~PROPOSED~~
ORDER

Pursuant to FRCP 41 and LR7-12

Judge: Joseph C. Spero

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4 Attorney for Defendants
JAE CHUNG YU dba CAFÉ GALLERIA and
5 YOON MI YU dba CAFÉ GALLERIA

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7
8 Plaintiff Morgan Henderson (“Plaintiff”) and defendants Lincoln Square, LLC; Jae
9 Chung Yu dba Café Galleria; and Yoon Mi Yu dba Café Galleria (together “Defendants”),
10 by and through their undersigned counsel, stipulate and agree as follows:

11 WHEREAS, on April 18, 2012, Plaintiff filed this action against Defendants;

12 WHEREAS, on June 11, 2012, defendants Jae Chung Yu dba Café Galleria and
13 Yoon Mi Yu dba Café Galleria timely filed an Answer to Plaintiff’s complaint;

14 WHEREAS, on June 15, 2012, defendant Lincoln Square, LLC timely filed an
15 Answer to Plaintiff’s complaint;

16 WHEREAS, as set forth in the Court-Enforceable Settlement Agreement and
17 Release entered into on May 31, 2013 and June 11, 2013 (“Settlement Agreement”),
18 Plaintiff has released and agreed to dismiss her claims against Defendants;

19 WHEREAS, as set forth in the Settlement Agreement, Defendants have agreed to
20 make or cause to be made certain physical modifications at the property known as Lincoln
21 Square Shopping Center;

22 WHEREAS, the physical modifications will require significant time and effort to
23 complete;

24 WHEREAS, as set forth in the Settlement Agreement, Plaintiff and Defendants have
25 agreed that the Court shall have continuing jurisdiction to resolve any and all disputes
26 pertaining to the Settlement Agreement and the terms contained therein, as well as
27 enforcement of and compliance with the Settlement Agreement,
28

1 IT IS THEREFORE STIPULATED AND AGREED by and between Plaintiff and
2 Defendants:

3 1. Plaintiff stipulates to the dismissal with prejudice of her Complaint, and all
4 claims contained therein;

5 2. The Court shall retain jurisdiction of this action to enforce the terms of the
6 Settlement Agreement.

7 Dated: June 13, 2013

8 LAW OFFICES OF PAUL L. REIN

9
10 By /s/ Catherine Cabalo
11 Catherine Cabalo
12 Attorneys for Plaintiff
MORGAN HENDERSON

13 Dated: June 13, 2013

14 PILLSBURY WINTHROP SHAW PITTMAN LLP
15 RICHARD M. SEGAL
NATHANIEL R. SMITH

16
17 By /s/ Nathaniel R. Smith
18 Nathaniel R. Smith
Attorneys for Defendant
LINCOLN SQUARE, LLC

19 Dated: June 13, 2013

20
21
22 By /s/ James J. Kim
23 James J. Kim
Attorneys for Defendants
24 JAE CHUNG YU dba CAFÉ GALLERIA and
YOON MI YU dba CAFÉ GALLERIA

ORDER

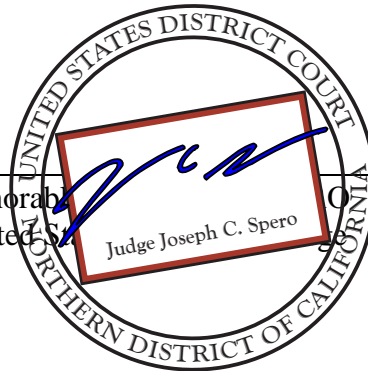
Upon consideration of the above Stipulation for Dismissal with Prejudice of Defendants Lincoln Square, LLC; Jae Chung Yu dba Café Galleria; and Yoon Mi Yu dba Café Galleria, and for good cause shown,

IT IS HEREBY ORDERED that the action and all claims against Defendants are dismissed with prejudice, each party to bear its own attorney fees and costs.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction of this action to enforce provisions of the Court-Enforceable Settlement Agreement and Release for eighteen (18) months after the date of entry of this Order by the Court, or until all injunctive relief is completed and payment for Plaintiff's damages, attorneys' fees, litigation expenses and costs is made in full, whichever occurs later.

Dated: June 14, 2013

Honorable
United States



FILER'S ATTESTATION

Pursuant to General Order 45, section X(B), I, Catherine Cabalo, hereby attest that on June 12, 2013 I received the concurrence of Nathaniel R. Smith and on June 13, 2013 I received the concurrence of James J. Kim in the filing of this document

/s/ Catherine Cabalo
Catherine Cabalo, Esq.